

SENATE JOINT RESOLUTION NO. 18

INTRODUCED BY K. TOOLE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING PRESIDENT GEORGE W. BUSH AND THE UNITED STATES CONGRESS TO LIFT THE EXISTING BAN ON EMBRYONIC STEM CELL RESEARCH AND TO PROVIDE FURTHER FUNDING AND OVERSIGHT FOR THIS RESEARCH SO THAT THE POTENTIAL THAT THESE CELLS HOLD FOR CELL THERAPY, SCIENTIFIC RESEARCH, AND OTHER MEDICAL USES CAN BE FULLY REALIZED.

WHEREAS, scientists first discovered the existence of pluripotent stem cells (embryonic cells that have not yet differentiated to become different types of cells and tissue) in the 1970s and soon recognized the extraordinary properties and promise of these primitive cells, which are capable of becoming any of 210 different cell types and many different tissues in the human body; and

WHEREAS, pluripotent stem cells have the most potential to help humankind because of their usefulness in cell therapy, in which the stem cells are injected or placed into living tissue so that they can take on the characteristics of that tissue and thereby diffuse into and regenerate living tissue to aid in treatment for or cure of many progressively debilitating and currently incurable diseases, such as Alzheimer's disease, Parkinson's disease, Lou Gehrig's disease, multiple sclerosis, Huntington's disease, heart disease, diabetes, osteoarthritis, rheumatoid arthritis, cancer, birth defects, and strokes, to grow new corneas for the sight-impaired, and to treat persons with traumatic cell damage resulting from spinal cord injuries and burns; and

WHEREAS, the source of these cells with the capabilities to evolve into almost any type of cell and tissue in the human body, and therefore the cells with the greatest potential to aid in the healing of diseased or injured human beings, is principally the human embryo; and

WHEREAS, as a result of moral and ethical debates concerning the beginning and use of human life, on August 9, 2001, the President imposed a ban on federal funding of embryonic stem cell research, at the National Institutes of Health and elsewhere, that would involve use of pluripotent stem cell lines derived from human embryos after that date of August 9; and

WHEREAS, the ban imposed by the President was to have left 64 cell lines available for research, but examination of those lines shows that many of those cell lines have turned out not to be genuine stem cell lines and that others have no scientific value, leaving only 11 cell lines available for research and medical purposes;

1 and

2 WHEREAS, research on the remaining 11 stem cell lines now shows that all of these stem cell lines and
3 all of their cells available under the ban were grown on what is known as a "feeder layer" of mouse cells and that
4 those mouse cells have produced a substance that has now contaminated all of the remaining stem cell lines,
5 in that the substance prevents the stem cells from differentiating into more mature cell types and may also cause
6 an infection in any host tissue onto which the stem cells are placed in the human body; and

7 WHEREAS, the President's policy, combined with the recent news of contamination of the remaining
8 cell lines, now means that there are no embryonic stem cell lines available for research or medical use in the
9 United States that are not in the hands of the private sector, where economics may have more to say about their
10 availability than national health policy; and

11 WHEREAS, the President's policy now means that one of the most amazing discoveries of modern times
12 will be beyond the reach of most of our hospitals and universities, our public health organizations, and some of
13 our most trusted and dedicated scientists, requiring that if they are to continue their pioneering work in lifesaving
14 research, they do so in a foreign country that allows embryonic stem cell research; and

15 WHEREAS, the President's policy has taken the hope for a better life from millions of Americans with
16 debilitating diseases who want to feel that their government is behind them in their need for recovery and their
17 search for a solution to the diseases that have robbed them of their ability to enjoy life and will rob them of life
18 itself; and

19 WHEREAS, because of the effect of the policy and contamination of the remaining lines of stem cells,
20 a group of 206 U.S. Representatives wrote to President Bush in May of 2003, asking that the ban on U.S.
21 funding of embryonic stem cell research be lifted, a group of 11 U.S. Republican Senators wrote to the President
22 on May 15, 2003, with a similar request, and a group of 58 U.S. Senators, including Orrin Hatch, Kay Bailey
23 Hutchinson, and John McCain, wrote a similar letter to the President in January of 2004, asking that the ban on
24 the use of federal funding for stem cell research be lifted; and

25 WHEREAS, voters in California recently enacted Proposition 71, establishing a constitutional right to
26 stem cell research, creating the California Institute for Regenerative Medicine to oversee and regulate research
27 practices, and authorizing the sale of general obligation bonds for up to \$3 billion to fund Institute activities, thus
28 dramatically demonstrating how important this issue is to many people; and

29 WHEREAS, New Jersey voters have also recently voted to allow embryonic stem cell research in that
30 state, bills for the same purpose are now pending in Illinois and New York, and the Governor of Wisconsin

1 recently announced that the state would spend \$750 million to build an embryonic stem cell research institute
2 on the campus of the University of Wisconsin-Madison; and

3 WHEREAS, Congress has held hearings on competing pieces of legislation and many expert witnesses
4 have testified regarding the future of stem cell research and the medical advances it is sure to engender, but
5 Congress seems incapable of arriving at a consensus even though polls show that a large majority of
6 Americans favor continued research and stimulation of medical advances with stem cells; and

7 WHEREAS, the current administration and the Congress therefore need to be petitioned by the states
8 to change current federal policy and allow for continued federal financial support of embryonic stem cell
9 research.

10
11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
12 THE STATE OF MONTANA:

13 That the President is urged to lift the ban that now exists on federal funding of research on embryonic
14 stem cells so that the many technical hurdles that now exist on the use of these cells can be overcome, the
15 promise that these cells hold for humankind through cell therapy can be realized, and the potential for their use,
16 limitations, and possibilities in other fields of science, such as testing of new drugs, can be better understood.

17 BE IT FURTHER RESOLVED, that the Congress is urged to support the lifting of the ban and resolve
18 the issues of what new laws may be necessary and what Congressional oversight is needed in order to ensure
19 that further research on and use of embryonic stem cells is conducted in accordance with national policy.

20 BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to President
21 George W. Bush and the Members of the Montana Congressional Delegation.

22 - END -